AF JFW

P Spractitioner's Docket No. NEB-164-PUS

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In reapplication of:

Karen E. Sandman, Christopher J. Noren

Application No.: 09/937,187 Filed: 09/21/2001

Group No.: 1639
Examiner: Lundgren

For: Surface Display of Selenocysteine-Containing Peptides

RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

### CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

#### MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10\*

X with sufficient postage as first class mail.

G as "Express Mail Post Office to Addressee"

Mailing Label No.

\_ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Signature

Date: May 19, 2006

Leslie Goldberg

(type or print name of person certifying)

<sup>\*</sup> Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

#### **STATUS**

2. Applicant is a small entity, A statement was already filed.

#### **EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

Fee:

\$225.00

#### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col. 2)	(Col. 3)		SMALL ENTITY				ГҮ
-	CLAIMS									
	<b>REMAINING</b>		HIGHEST NO							
	AFTER		PREVIOUSLY	PRESENT					A]	DDIT.
	<b>AMENDMENT</b>		PAID FOR	EXTRA	RATE			FEE		
TOTAL	7	MINUS	20	= 0	X	\$	25.00	=	\$	0.00
INDEP	1	MINUS	10	= 0	Х	\$	100.00	=	\$	0_
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						\$	0.00	=	\$	0.00
							TOTAL		\$	0.00
							DIT. FEE			

<sup>\*</sup> If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

No additional fee for claims is required.

#### **FEE PAYMENT**

5. Attached is a check in the amount of \$475.00, covering the extension fee and the fee for notice of appeal.

A duplicate of this paper is attached.

## FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 14-0740.

If any additional fee for claims is required, charge Account No. 14-0740.

<sup>\*\*</sup> If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

<sup>\*\*\*</sup> If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

Date: May 19, 2006

Harriet M. Strimpel, D.Phil. Registration No. 37,008 New England Biolabs, Inc.

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Docket: NEB-164-PUS

1AY 2 2 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ICANTS:

Sandman et al.

**EXAMINER:** 

Lundgren

SERIAL NO.:

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GROUP:

1639

FILED:

September 9, 2001

FOR:

Surface Display of Selenocysteine-Containing

Peptides

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#### Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail-in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on May 19, 2006.

Leslie Goldberg

Sir:

# <u>Amendment</u>

This is a response to the Final Office Action mailed

December 21, 2005. Amendments to the claims are reflected in the
listing of claims beginning on page 3 of this paper. Applicant has
renumbered claims 40-58 as 38-56 because claims 38 and 39 were
never pending or filed in the application. The indicator for the
previously withdrawn claims has remained "withdrawn" despite the
renumbering of the claims and dependencies. Claims under
consideration are newly renumbered claims 38-43 and 46. Changes to

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the specification appear on page 7. The Remarks section begins on page 8 of this paper. The Summary section appears on page 14.